

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ERIC WARE,

Plaintiff,

v.

ST. LOUIS CITY JUSTICE CENTER,

Defendant.

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No. 4:20-cv-01065-AGF

MEMORANDUM AND ORDER

This matter comes before the Court on the motion of plaintiff Eric Ware for leave to file an amended complaint. (Docket No. 5). On August 24, 2020, the Court ordered plaintiff to file an amended complaint on a Court-form, because his original complaint was subject to dismissal. (Docket No. 4). Plaintiff was given thirty days in which to comply.

The instant motion is dated August 23, 2020, meaning that plaintiff sent it to the Court before receiving the Court's order directing him to amend. The proposed amended complaint attached to the motion is not on a Court form and contains the same deficiencies as his original complaint. Therefore, the Court will deny plaintiff's motion to amend as moot, because the Court has already ordered him to file an amended complaint on a Court form, according to the instructions set forth in the order of August 24, 2020. The amended complaint will remain due on September 23, 2020.

Accordingly,

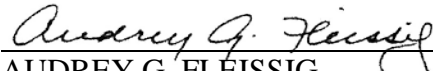
IT IS HEREBY ORDERED that plaintiff's motion to amend his complaint (Docket No. 5) is **DENIED** as moot.

IT IS FURTHER ORDERED that plaintiff shall file an amended complaint on a Court-provided form, pursuant to the instructions set forth in the Court's August 24, 2020 order, on or before **September 23, 2020**.

IT IS FURTHER ORDERED that if plaintiff fails to file an amended complaint on a Court-form, as instructed in the Court's order of August 24, 2020, the Court will dismiss this action without prejudice and without further notice.

IT IS FURTHER ORDERED that upon receipt of the amended complaint, the Court will review it pursuant to 28 U.S.C. § 1915.

Dated this 31st day of August, 2020.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE